

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

VICTAULIC COMPANY,

Plaintiff,

v.

ANVIL INTERNATIONAL, LLC,

Defendant.

Civil Action No. 1:20-cv-00887-CFC

JURY TRIAL DEMANDED

ANVIL INTERNATIONAL, LLC,

Counterclaim-Plaintiff,

v.

VICTAULIC COMPANY,

Counterclaim-Defendant.

**DEFENDANT’S MOTION TO STAY PENDING DEFENDANT’S
ANTICIPATED MOTION FOR JUDGMENT ON THE PLEADINGS
TO ENFORCE PREVIOUS SETTLEMENT**

Defendant Anvil International, LLC hereby submits this motion and respectfully requests that all case deadlines and discovery, including the entry of a scheduling order, be stayed with the exception of (i) briefing on and resolution of any motion by Plaintiff in response to Defendant’s First Amended Counterclaims (D.I. 22); (ii) Plaintiff’s Answer to Defendant’s First Amended Counterclaims, which will close the pleadings;¹ and (iii) briefing on and resolution of Defendant’s

¹ See Fed. R. Civ. P. 12(c) (“*After the pleadings are closed*—but early enough not to delay trial—a party may move for judgment on the pleadings.”) (Emphasis added.)

Motion for Judgment on the Pleadings (including any discovery relating to such motion should the Court treat it under Rule 12(d) as a motion for summary judgment pursuant to Rule 56).

The grounds for this motion are fully set forth in Defendant's opening brief.

Dated: November 17, 2020

Respectfully submitted,

MORRIS JAMES, LLP

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Anvil International, LLC*

CERTIFICATION PURSUANT TO D. DEL. LOCAL RULE 7.1.1

Pursuant to D. Del. Local Rule 7.1.1, counsel for Defendant have made reasonable efforts to reach agreement with counsel for Plaintiff on the matters provided in this motion. Plaintiff remains opposed to Defendant's motion.

Dated: November 17, 2020

Respectfully submitted,

MORRIS JAMES, LLP

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[PROPOSED] ORDER

Before the Court is Defendant's Motion to Stay Pending Defendant's Anticipated Motion for Judgment on the Pleadings to Enforce Previous Settlement (the "Motion"). After having considered the Motion, Defendant's brief in support, any opposition thereto, the record in this case, and the applicable law, the Court is of the opinion that the Motion should be, and therefore is, GRANTED.

IT IS ORDERED that all case deadlines and discovery, including the entry of a scheduling order and Defendant's objections and responses to Plaintiff's pending interrogatories and requests for production, are stayed with the exception of (i) briefing on and resolution of any motion by Plaintiff in response to Defendant's First

Amended Counterclaims (D.I. 22); (ii) Plaintiff's Answer to Defendant's First Amended Counterclaims; and (iii) briefing on and resolution of Defendant's anticipated Motion for Judgment on the Pleadings (including any discovery relating to such motion should the Court treat it under Rule 12(d) as a motion for summary judgment pursuant to Rule 56).

IT IS SO ORDERED, this ____ day of _____, 2020.

Hon. Colm F. Connolly
United States District Judge